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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,988	03/30/2001	Ed Chi	108547	4686

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OLIFF & BERRIDGE, PLC.
P.O. BOX 19928
ALEXANDRIA, VA 22320

EXAMINER

LESNIEWSKI, VICTOR D

ART UNIT	PAPER NUMBER
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2152

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/28/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/28/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

OfficeAction27074@oliff.com
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Office Action Summary

Application No.

09/820,988

Applicant(s)

CHI ET AL.

Examiner

Victor Lesniewski

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20,23 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-10,12-20,23 and 24 is/are allowed.
- 6) ☒ Claim(s) 1 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed 1/31/2007 has been placed of record in the file.
2. Claims 1, 2, 11, 12, and 24 have been amended.
3. The objection to the specification is withdrawn in view of the amendment.
4. The objection to claim 24 is withdrawn in view of the amendment.
5. Claims 1-20, 23, and 24 are now pending.
6. The applicant's arguments with respect to claims 1 and 11 have been fully considered but they are not persuasive. A detailed discussion is set forth below.

Response to Amendment

7. Claims have been amended to show that the multi-modal content portion feature information includes a content feature information and at least one type of connection information. The amendment proves a change in scope to independent claims 1 and 11 as independent claims 1 and 11 now explicitly state determining a multi-modal content portion feature information including a content feature information and at least one of connection feature information, inward connection feature information, and outward connection feature information. However, amended claims 1 and 11 do not show a patentable distinction over the prior art of record as discussed in the response to arguments below. Since the claims have been amended, the rejection will also be restated below, taking into consideration the amendments.

Specification

8. The applicant is asked to update the "Incorporation By Reference" section on pages 1 and 2 of the specification so that the current status of each cited application is reflected therein, as well as the appropriate application and/or patent numbers. Other applications incorporated by reference throughout the remainder of the specification should also be updated.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herz (U.S. Patent Number 6,029,195) in view of Payton (U.S. Patent Number 6,681,247).

11. Herz disclosed a system for customized electronic identification of desirable objects. In an analogous art, Payton disclosed a system for tracking user activities and determining information resources of interest to a user.

12. Concerning claims 1 and 11, Herz did not explicitly disclose that his connected content portions were reachable via a threshold number of traversals from an initial content portion. Although Herz does utilize the links to and from a hypertext document, he is not explicit about a sequence of traversals through various documents. However, this feature was well known in the art as evidenced by Payton whose system tracks the user's sequence through a number of documents. It would have been obvious to one of ordinary skill in the art at the time of the

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applicant's invention to modify the system provided by Herz by adding the ability for the connected content portions to be reachable via a threshold number of traversals from an initial content portion as provided by Payton. Here the combination satisfies the need for an information retrieval and delivery system that enables a user to access information of relevance and interest without requiring excessive time and energy. See Herz, column 4, lines 29-33. The specific line citations to the limitations of the claims below refer to Herz unless otherwise cited.

13. Thereby, the combination of Herz and Payton discloses:

- <Claim 1>

A method for identifying user types in a collection of connected content portions, comprising: determining at least one significant user path of connected content portions, said connected content portions being content portions connected to or linked to other content portions and reachable via a threshold number of traversals from an initial content portion (column 65, lines 49-54; Payton, column 12, line 53 through column 13, line 9; and Payton, column 14, line 61 through column 15, line 6); determining a multi-modal user path user information need for each at least one significant user path (column 7, lines 4-9) for each content portion comprising each of the at least one significant user path, determining a multi-modal content portion feature information including a content feature information and at least one of connection feature information, inward connection feature information and outward connection feature information (column 7, lines 1-4; column 10, lines 37-52; and column 12, line 61 through column 13, line 19), which for a selected content portion the multi-modal connection feature indicates a connection that appears on the selected content portion, the multi-modal inward connection feature

indicates a connection that refers to the selected content portion in the collection of connected content portions, and the multi-modal outward connection feature indicates a connection that is referred to by the selected content portion in the collection of connected content portions (column 12, line 61 through column 13, line 19); combining each multi-modal content portion feature information for the user path with the multi-modal user path user information need into a multi-modal user path information (column 7, lines 9-18); determining a similarity function and a measure of similarity for the multi-modal user path information (column 15, line 34 through column 17, line 57); determining a multi-modal clustering type (column 24, line 40 through column 25, line 10); clustering the multi-modal user path information based on the multi-modal clustering type, the similarity function and the measure of similarity (column 23, lines 60-66); and determining user types based on the clustered multi-modal user path information (column 23, line 66 through column 24, line 8).

- <Claim 11>

A system for identifying user types in a collection of connected content portions, comprising: a controller circuit, a memory circuit, and an input/output circuit; a multi-modal clustering type determining circuit that determines a multi-modal clustering type; a content determining circuit (figures 1 and 2 and column 34, line 46 through column 35, line 55); a user path determining circuit that determines at least one significant user path of connected content portions, said connected content portions being content portions connected to or linked to other content portions and reachable via a threshold number of traversals from an initial content portion (column 65, lines 49-54; Payton, column 12, line

53 through column 13, line 9; and Payton, column 14, line 61 through column 15, line 6); a multi-modal user path user information need determining circuit that determines a user information need for each significant user path (column 7, lines 4-9) and the user information need includes a value that reflects a probability that a user will browse through a content portion in at least one significant user path (column 57, lines 11-37), multi-modal content portion feature information determining circuits that determine multi-modal content information and at least one of multi-modal connection, multi-modal inward connection and multi-modal outward connection feature information for each content portion comprised in a user path (column 7, lines 1-4; column 10, lines 37-52; and column 12, line 61 through column 13, line 19), which for a selected content portion the multi-modal connection feature indicates a connection that appears on the selected content portion, the multi-modal inward connection feature indicates a connection that refers to the selected content portion in the collection of connected content portions, and the multi-modal outward connection features indicates a connection that is referred to by the selected content portion in the collection of connected content portion (column 12, line 61 through column 13, line 19); wherein the controller combines each multi-modal content portion feature information for the user path with the multi-modal user path user information need into a multi-modal user path information (column 7, lines 9-18); a similarity function determining circuit for determining similarity between two multi-modal information (column 15, line 34 through column 17, line 57); a multi-modal clustering circuit that clusters the multi-modal user path information based on the multi-modal clustering type, the similarity function and a specified measure of similarity

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(column 23, lines 60-66); and a cluster analyzing circuit that determines user types based on the clustered multi-modal user path information (column 23, line 66 through column 24, line 8).

Since the combination of Herz and Payton discloses all of the above limitations, claims 1 and 11 are rejected.

Allowable Subject Matter

14. Claims 23 and 24 are allowed. For a statement of reasons for allowance please see section 25 of the previous action dated 3/22/2006.

15. Claims 2 and 12 have been amended to depend on claims 23 and 24 respectively. Thus, claims 2-10 and 12-20 are allowed due to their dependence on claims 23 and 24.

Response to Arguments

16. Concerning claims 1 and 11, it is maintained that the combination of Herz and Payton discloses multi-modal content portion feature information that includes a content feature information and at least one type of connection information. See the line citations in the rejection above. Further, the applicant has not addressed the citations to the prior art and has only stated simply that the references do not teach the claimed features. Thus, the arguments are also not persuasive because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

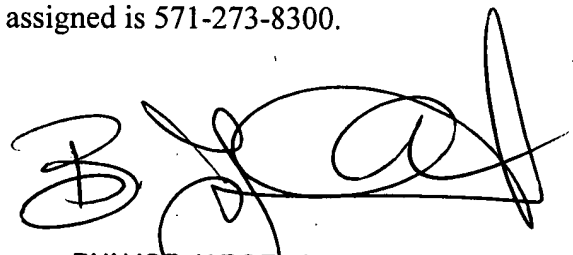
Conclusion

17. **THIS ACTION IS MADE FINAL.** The applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Victor Lesniewski
Patent Examiner
Group Art Unit 2152